



CANNON BUILDING
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STATE OF DELAWARE
COUNCIL ON REAL ESTATE APPRAISERS

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PUBLIC MEETING MINUTES:	COUNCIL ON REAL ESTATE APPRAISERS
MEETING DATE AND TIME:	Tuesday, March 18, 2014 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , 2nd floor of the Cannon Building
MINUTES APPROVED:	April 15, 2014

Members Present

Georgianna Trietley, Chair, Professional Member
Lynn Baker, Professional Member, Vice Chair
Ronald Mandato, Professional Member
Brad Levering, Professional Member
Douglas Nickel, Professional Member
Jan Jenkins, Public Banking Member
Frank Long, Public Member

Division Staff/Deputy Attorney General

Kevin Maloney, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
David Mangler, Division Director

Members Absent

None

Public Present

Doug Sensabaugh

Call to Order

Ms. Trietley called the meeting to order at 9:32 a.m.

Review and Approval of Minutes

Ms. McAtee requested that the Council table the review and approval of the minutes. Due to inclement weather, state offices were closed and Ms. McAtee was unable to finish the minutes. The Council tabled the review and approval of meeting minutes from February 18, 2014.

Unfinished Business

Andrew Smith

Mr. Nickel stated that he had reviewed two out of five reports and had found errors that resulted in non-credible results because the value determinations were not accurate and USPAP Standards one and two violations were found. Ms. McAtee stated that a letter had been received from the Appraisal Subcommittee which requested for action in the matter of Mr. Smith and for Council to determine if the appraiser was Appraisal Qualifications Board (AQB) compliant or not.

Mr. Maloney stated that the Council was being asked of two things: the first was changing the status of Mr. Smith on the national registry to either “no” or “unknown” under AQB compliance, and the second thing was the Council had to decide on was whether to revoke or annul the credential. Ms. McAtee and Mr. Maloney were under the impression that if the Council did not take action on the national registry that the ASC would change his national registry status to “unknown.” However, the letter received from the ASC contradicted this. Mr. Maloney stated that Mr. Smith’s license was a constitutionally protected property interest and could not be taken away without allowing Mr. Smith the option of requesting a hearing. Mr. Maloney stated that changing his status on the national registry seemed premature since the Council had not taken action on his credential. Mr. Maloney did not believe that the Council had the ability to change Mr. Smith’s status on the national registry without affording him due process rights. Mr. Maloney stated that the best the Council could do would be to tell the ASC what the Council intended to do. Mr. Levering suggested that Mr. Nickel review Mr. Smith’s other three reports and bring his findings to the next Council meeting.

Mr. Levering made a motion, seconded by Mr. Baker, for Mr. Nickel to go through the remaining three reports and bring his findings to the next meeting. The motion carried unanimously.

The Council requested that Mr. Maloney and Mr. Mangler contact the ASC to inform them of their progress. Mr. Nickel would complete his review of the reports and bring his analysis to the April 15, 2014 meeting.

Status of Complaints

None

Continued Discussion on State Rules and Regulations Course Requirement for Initial Licensure

Mr. Levering stated that out of state appraisers using temporary permits signed an affidavit that stated that they understood Delaware’s Rules and Regulations and this was not sufficient in his opinion. Mr. Mandato stated that he read the Delaware Rules and Regulations and stated that the only difference from USPAP was the Rules and Regulations course covered the investigative unit process. Mr. Nickel stated that the Delaware Rules and Regulations Course was a requirement for each renewal cycle in any category of licensure, including trainee. Ms. McAtee stated that this course was not covered under the statute for initial licensing requirements and the statute would need to be amended to require this, furthermore the ASC already had guidelines in place for the qualifying education. The Council did not wish to explore the topic any further since it was already a requirement at license renewal.

New Business

New Complaints

None

Discussion of Spring Dates

Ms. McAtee stated that she had numerous dates for the Council's annual seminar. After discussion, the Council decided for the annual seminar to be held on May 20, 2014 at 9:00 a.m. until 12 noon with the Council's meeting to follow at 1:00pm. The topic and speaker had not been determined.

Ratification of Issued Licenses

Mr. Nickel made a motion, seconded by Mr. Mandato, to ratify the list of licenses issued below. The motion carried unanimously.

Albert R. Crosby, CGRPA
Jamie L. McMahan, Trainee
Joel H. Cline, CGRPA

Review of Application for Certified Assessor

None

Review of Application for Examination

None

Review of Application for Re-examination

None

Review of Application for Exemption

None

Reciprocity

James Martin

Mr. Maloney stated that Mr. Martin had signed a consent agreement in the State of Massachusetts that indicated that he had not completed the 7 hour USPAP continuing education course which was a requirement during his licensure period. Mr. Martin had later applied to the State of Vermont and neglected to indicate on the application the discipline that he had received in the State of Massachusetts. The State of Vermont denied his reciprocity application after Mr. Martin did not request a hearing in response to their proposal to deny his application decision. After review and discussion, Mr. Mandato made a motion, seconded by Ms. Jenkins, to approve the reciprocity application of James Martin. The motion carried by majority with Mr. Levering opposed.

Review of Hearing Officer Recommendations

None

Review and Deliberation of Consent Agreements

None

Review of Application for Temporary Practice Permit

None

Review of Experience Log

William Salus – Trainee to LRPA

Ms. Trietley was assigned to review the experience log of William Salus.

Approval of Continuing Education Activities

Ms. McAtee stated that the continuing education applications had not been amended to the agenda due to the inclement weather and subsequent closing of state offices. Ms. McAtee requested that the Council amend the agenda in order to review the continuing education applications.

Mr. Nickel made a motion, seconded by Mr. Baker, to amend the agenda to include the review and approval of the following continuing education activities:

DE Chapter Appraisal Inst.	Pesky Reviewers: What We're Looking For In Commercial & Res. Appraisals	classroom	3/11/2014	2 CE
	Residential Applications - Using Technology to Measure & Support			
Appraisal Institute	Assignment Results	classroom	TBD	7 CE
Appraisal Institute	Residential Applications 2	classroom	TBD	7 CE
	Using Spreadsheet Programs in Real Estate Appraisal - Synchronous	classroom	TBD	7 CE
Appraisal Institute	Applications & Interpretation of Simple Linear Regression	classroom	TBD	15 QE/14 CE
Appraisal Institute	7-Hour USPAP Update	classroom	TBD	7CE
Appraisal Institute	15-Hour USPAP Course	classroom	TBD	15QE
DE State & John Hopkins Carey Business School	Place-Making Economic Develop. Real Estate Strategies	classroom	4/3/2014	3 CE
Dynasty School	Residential Market Analysis & Highest & Best Use			15QE/14CE
Dynasty School	Residential Sales Comparison & Income Approach			30QE/28CE
Dynasty School	General Appraiser Site Valuation and Cost Approach			30QE/28CE
McKissock	2015 Supervisor-Trainee Courses	virtual classroom	TBD	?
McKissock	Analyze This! Application of Appraisal Analysis	live webinar	open enrollment	4 CE
McKissock	UAD - Up Close and Personal	live webinar	open enrollment	3 CE
McKissock	Analyze This! Application of Appraisal Analysis	online	open enrollment	4 CE
McKissock	2014-2015 7hr USPAP Update Course	classroom	TBD	7 CE

The motion carried unanimously.

After review, Mr. Nickel made a motion, seconded by Mr. Baker, to approve the continuing education in the amended listing above. The motion carried unanimously.

Board Order Compliance

None

Correspondence

OnCourse Learning Corporation – Change of Ownership

Ms. McAtee stated that Career Webschool had recently changed ownership and the company's name changed to OnCourse Learning Corporation.

Other Business before the Council (for discussion only)

None

Public Comment

None

Next Meeting

The next meeting is scheduled for April 15, 2014 at 9:30 a.m. in Conference Room A second floor, Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

Mr. Mandato made a motion, seconded by Mr. Nickel, to adjourn the meeting. There being no further business before the Council, the meeting adjourned at 11:26 a.m. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', written in a cursive style.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Council members and the public in supplementing their personal notes and recall for presentations.